

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

SYNERGETICS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:04 CV 318 DDN
	)	
CHARLES RICHARD HURST, JR., and	)	
MICHAEL MCGOWAN,	)	
	)	
Defendants.	)	

**JUDGMENT AND INJUNCTION**

This action came on for trial before the Court and a jury, the jury having rendered its verdicts, and the court having rendered its non-jury findings and conclusions in the Memorandum opinion filed herewith,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that plaintiff Synergetics, Inc., have and recover from defendant Charles Richard Hurst, Jr., and defendant Michael McGowan, jointly and severally, as actual compensatory damages the sum of \$1,759,165.00, plus interest hereafter as provided by law, plus the costs of the action.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that plaintiff Synergetics, Inc., have and recover from defendant Charles Richard Hurst, Jr., as punitive damages the sum of \$293,194.16, plus interest hereafter as provided by law.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that plaintiff Synergetics, Inc., have and recover from defendant Michael McGowan as punitive damages the sum of \$293,194.16, plus interest hereafter as provided by law.

**INJUNCTION**

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that defendant Charles Richard Hurst, Jr., and defendant Michael McGowan not use or disclose to any person or entity, directly or indirectly, for as long as such information is a trade secret of plaintiff, the dimensions and tolerances of plaintiff's IRIS adapter, plaintiff's surgical forceps and scissors products, plaintiff's pricing information, plaintiff's product information, plaintiff's product prioritization, and other information regarding plaintiff's customers.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that defendant Charles Richard Hurst, Jr., and defendant Michael McGowan, within 45 days from the issuance of this injunction, shall destroy all drawings and other materials that contain or on which are otherwise recorded the specific dimensions and tolerances of the IRIS adapter developed by plaintiff and any other product developed by plaintiff, and shall destroy defendants' physical inventory of IRIS adapters.

A handwritten signature in cursive script, reading "David D. Noce", written in dark ink. The signature is fluid and stylized, with a large initial 'D' and a long, sweeping underline.

**DAVID D. NOCE**  
**UNITED STATES MAGISTRATE JUDGE**

Signed on December 9, 2005.